REMARKS/ARGUMENTS

Claims 1 and 19 have been amended. No new matter has been added by way of these amendments.

Claim Objections

The typographic error in claim 19 has been corrected to traverse the Examiner's objection by replacing the term 'on' with 'one'. A further typographic error was detected in claim 1, where the language "designate" has been inserted for consistency.

Claim Rejections – 35 USC § 112

The Examiner argues that the limitation which recites "*a return-data-buffer connected to the server-side script*" is unclear. However, Applicant respectfully disagrees with the Examiner that 'a data buffer' is *hardware*, since data buffers can be implemented in hardware or software. Indeed, the vast majority of data buffers are software-implemented, see for example the Wikipedia entry for "data buffer" or the website link: http://en.wikipedia.org/wiki/Buffer_(computer_science).

Thus, it is respectfully submitted that the recited limitation is not unclear.

Claim Rejections – 35 USC § 102

The Applicant respectfully disagrees with the Examiner that Harvey (US 6,519,568) discloses the feature of claim 1. Claim 1 is distinguished from Harvey in at least two respects:

i) Claim 1 is distinguished in reciting "*an http streamproducer operable to read a designed source file and simultaneously write data from the source file into a return-data-buffer connected to the server-side script*".

The Examiner points to col. 3 lines 53 – 60 of Harvey, but this passage merely generally describes a data archival system providing a real-time store and forwarding capability. There is no disclosure in this passage of a 'source file' or a 'buffer' or 'reading' or 'writing', or of doing so 'simultaneously'. Specifically, there is no disclosure in Harvey of an element having the functionality for simultaneously reading data from a source file and also write data from the source file into a buffer. This simultaneous read/write functionality is performed by the 'streamproducer' element of the claimed invention.

Instead Harvey discloses at col. 24 line 60 to col. 25 line 6 an engine that reads information from a continuously-updated source and passes it onto the client over the HTTP(S) stream. A continuously updated source or presumably a source continually written to is not the same as writing to a *buffer* from a source while simultaneously reading the source.

The Examiner also argues also that such queuing is inherent to HTTP, since HTTP is built on the top of TCP which allegedly has an outgoing queue. Applicant can locate no specific reference in Harvey to support this (*see* MPEP 2144.03 for reference to Examiner's duty). Applicant respectfully contends that such assertion by Examiner is not well known. However, even if correct, such HTTP queuing will also be inherent to the HTTP of the claimed invention, but this is clearly separate from the specific 'return-data-buffer' that is claimed. If there is any doubt on this point, the difference is that the "*return-data-buffer [is] connected to the server-side script*". There is no disclosure of such a buffer in Harvey that is connected to a server-side script.

ii) Claim 1 is further distinguished over Harvey in reciting "*a transaction handler class…to write blocks of data simultaneously with receiving data from the computer network*".

The only function which Harvey describes as being performed simultaneously is the simultaneous display of the oilfield data at the multiple delivery site computers (see abstract, col. 4 lines 33 to 36, etc). Thus, data is displayed at several remote client computers simultaneously, but there is no mention of a client computer having the ability to simultaneously read and write data to the computer network. The Examiner points to col. 5 line 20 to col. 6 line 13 of Harvey, but this passage merely specifies processing a workflow order, i.e. sequential processing steps, the processed data then being transmitted to the plurality of clients simultaneously.

Thus, claim 1 is novel over Harvey in reciting features i) and ii). Independent claims 15, 19 and 23 recite similar features in steps g) and j) and are therefore also novel over Harvey.

Independent claim 24 is distinguished for similar reasons, but is further distinguished in reciting "*a plurality of streamproducers*". Harvey does not disclose a single streamproducer element with the functionality claimed, but moreover does not recite a plurality of such elements. The benefit of having a plurality of streamproducers is that they can operate in parallel as described in paragraph [0064] of the present application as filed, which clearly makes processing quicker and thus even nearer to real-time conditions.

Claim Rejections – 35 USC § 103

Applicant respectfully disagrees with the Examiner that claim 1 is unpatentable over Val (US 2005-0198364) in view of RFC793. Again, claim 1 is distinguished over Val in reciting features i) and ii) described above.

i) There is no disclosure in Val of any buffer, let alone a data return buffer as claimed. The Examiner argues that HTTP inherently performs such buffering, but the claimed invention is not concerned with the TCP layer of communication, rather with the streaming HTTP layer as claimed. TCP is a packet-switching protocol, which is wholly different to the HTTP data streams that are being sent in the client-server model of the present invention. The so-called OSI (Open Systems Interconnection) model describes clearly these different communication levels, with the HTTP protocol at a wholly different level to the TCP protocol. The claimed invention is concerned with HTTP, not TCP.

Thus, it is doubtful whether a skilled person would be motivated to turn to TCP and even if such a skilled person were to do so, the teaching are concerned with TCP queuing, not HTTP queuing.

The distinction is further emphasized in that the claimed invention recites that the return-data buffer is connected to a 'server-side script'. While, RFC793 may describe how TCP uses an outgoing queue for serving SEND requests in the order received, there is no disclosure of

connection to a server-side script. More generally, queuing SEND requests is different from queuing data read from a source file into a buffer.

Even if Val were to be combined with RFC793, the combination still does not teach feature i) as claimed.

ii) Contrary to the Examiner's assertions, paragraph [0033] of Val does not teach the claimed feature of writing blocks of data to a destination simultaneously with receiving data from the computer network. Instead this passage of Val teaches that a server responds to a client request using the same protocol and that the client monitors the responses for the best protocol, but if such a protocol is clocked, another protocol is selected by the client computer. Several client requests can be sent out in parallel, but there is no teaching in Val of a transaction handler operable to write blocks of data simultaneously while receiving data from the network.

This feature is also not disclosed even if the teachings of Val were to be combined with those of RFC793, and thus the claimed invention is non-obvious in view of this prior art combination.

Applicant submits that for the same reasons the other independent claims containing similar features i) and ii) are also non-obvious over the prior art.

CONCLUSION

Applicant believes this reply to be fully responsive to all outstanding issues and submits that the present application is now in condition for allowance. This paper is submitted in response to the Office action dated May 26, 2009 for which the three months date for response is August 26, 2009 and the three-month extended date for response is November 26, 2009, which is a Federal Holiday, thereby extending the date for response to November 27, 2009. Please apply any charges not covered, or any credits, to Deposit Account 50-2183 (Reference Number US 59.0038). If the Examiner deems that any issue remains after considering this paper, the Examiner is invited to contact the undersigned attorney to expedite the prosecution of the application and engage in a joint effort to work out a mutually satisfactory solution.

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